

REMARKS/ARGUMENTS

Claims 17, 18, 20 to 22, 24, 25, 28 to 32 were rejected under 35 U.S.C. 102(b) as being anticipated by Shyr et al. (US 5,743,375). Claims 17 to 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Japan Abstract 01-254477.

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Shyr et al (US 5,743,375)

Claims 17 to 24 and 26 to 31 have been amended. Claim 25 has been canceled and claims 36 and 37 added.

Reconsideration of the application is respectfully requested based on the following.

Rejections under 35 U.S.C. §102(e)

Claims 17, 18, 20 to 22, 24, 25, 28 to 32 were rejected under 35 U.S.C. 102(b) as being anticipated by Shyr et al. (US 5,743,375).

Shyr was the subject of the previous appeal, and the rejection to claims 17, 18, 20 to 22, 24, 25 and 28 to 32 was upheld. Claims 17 and 26 have now been amended to positively recite a gas turbine or gas turbine module as shown in Fig. 1. As stated by the Board "Shyr does not describe, and therefore, does not anticipate the positively recited gas turbine..."

Claim 21 has been amended to recite that the conveying device in the raised state lifts the gas turbine or module off the floor to the raised state and then carries the turbine or module through a plurality of workstations. Shyr does not show this feature. A similar claim was allowed in related European Patent EP 1 618 027 B1.

Withdrawal of the 35 U.S.C. 102(b) rejections to claims 17, 18, 20 to 22, 24, 25, 28 to 32 is respectfully requested.

Claims 17 to 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Japan Abstract 01-254477.

Japan Abstract '477 is similar to Shyr and does not show any turbine. In fact the rejection to claims 34 and 35 directly contradicts the Board decision, which found that claim 34 positively recites a gas turbine. Japan Abstract '477 does not, nor does the Office Action assert that it does. Amended claims 17 and 26 now also positively recite a gas turbine or gas turbine module, which

Japan Abstract '477 does not show. Japan Abstract '477 also does not show that the conveying device in the raised state lifts the gas turbine or module off the floor to the raised state and then carries the turbine or module through a plurality of workstations, as now recited in claim 21.

In addition, the bald assertion in the Office Action that Japan Abstract '477 shows hydraulic/pneumatic raising lowering is not clear and does not support an anticipation rejection, similar to the Board decision on claims 23 and 33. The rejection to claims 23 and 33 for this reason as well is respectfully requested.

Withdrawal of the 35 U.S.C. 102(b) rejections to claims 17 to 35 is respectfully requested.

Rejections under 35 U.S.C. 103(a)

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Shyr et al. (US 5,743,375).

In view of the amendment to claims 19 and 21, withdrawal of the 35 U.S.C. 103(a) rejections to claim 19 is respectfully requested.

New Claims 36 and 37

New claim 36 finds support at [0029] and [0032] for example. Neither Shyr nor Japan Abstract '477 shows such features. New claim 37 finds support for example [0030] for example.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request allowance of the pending claims.

Respectfully submitted,

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